

**Federal Defenders
OF NEW YORK, INC.**

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

August 7, 2023

BY EMAIL

The Honorable Gabriel W. Gorenstein
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

**Re: United States v. Mariela Toribio Duarte
23 Mag. 5642 (UA)**

Dear Judge Gorenstein:

I write, with the consent of pretrial services and the government, to respectfully request a modification of Mariela Toribio Duarte's bail conditions to allow pretrial to determine the technology to enforce home incarceration.

On August 1, 2023, Ms. Toribio Duarte was presented in Magistrate Court before Judge James L. Cott. The parties agreed to the following bail conditions:

\$100,000 personal recognizance bond to be co-signed by two financially responsible persons; compliance with pretrial services supervision as directed; travel restricted to the SDNY/EDNY; surrender all travel documents with no new applications; home incarceration enforced by GPS location monitoring; submit to urinalysis and if positive, add condition of drug testing/treatment; and no possession of a firearm/destructive devices/other weapon.

Ms. Toribio Duarte was ordered detained pending compliance with the conditions of the bond.

On August 4, 2023, Ms. Toribio Duarte complied with the conditions of the bond and was released. Today, Ms. Toribio Duarte's pretrial services officer requested that her bail conditions be modified to provide pretrial with the discretion to decide which location monitoring technology is appropriate. The government does not object.

Accordingly, the defense respectfully requests that the Court modify the bond to provide pretrial with the discretion to decide which location monitoring technology is appropriate.

Hon. Gabriel W. Gorenstein

Thank you for your attention to this matter.

Respectfully submitted,

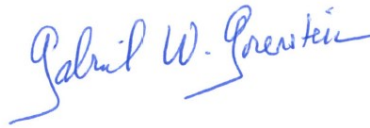
/s/

Marne L. Lenox, Esq.

Counsel for Mariela Toribio Duarte

cc: Counsel of record

SO ORDERED:



THE HONORABLE GABRIEL W. GORENSTEIN
United States Magistrate Judge

August 7, 2023